

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAKISHA KENT, o/b/o L.D.	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE, <sup>1</sup>	:	NO. 06-4684
Commissioner of	:	
Social Security Administration	:	

**ORDER**

AND NOW, this 21<sup>st</sup> day of *May*, 2007, upon consideration of plaintiff's motion for summary judgment with a Brief and Statement of Issues in Support of Request for Review, defendant's motion for summary judgment and Response to Request for Review of Plaintiff, and plaintiff's reply brief, and after careful review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED**

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion for summary judgment is GRANTED;
3. Defendant's motion for summary judgment is DENIED;
4. This case is REMANDED in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Commissioner of the Social Security Administration for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter; and
5. Judgment is entered in favor of plaintiff and against defendant.
6. The Clerk of Court is hereby directed to mark this case closed.

BY THE COURT:

*Robert F. Kelly*  
ROBERT F. KELLY, J.

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<sup>1</sup> On February 12, 2007, Michael J. Astrue became the Commissioner of the Social Security Administration. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted as the defendant in this case.